REMARKS

Applicant has amended the specification to identify the now issued U.S. Patent 6,765,002 in the priority chain. Applicant has also correct the various errors in the specification.

With respect to the rejection under 35 U.S.C. §103, applicant has narrowed pending claim 1 to distinguish over the Elliesen reference. Applicant has also added new dependent claims that further distinguish over Ellieson and also over the double patenting rejection.

Applicant has amended independent claim 1 to restrict the estrogen dosage to 20-35 mcg ethinyl estradiol equivalent. Elliesen teaches a specific EE dosage of 5 to 15 mcg. Elliesen teaches away from any higher dosages, and higher dosages are not appropriate for the hormone replacement therapy product disclosed by Elliesen. Elliesen teaches on Page 5 of WO97/11680:

> A further object is to provide such a method which permits a gradual approach to finding the lowest effective HRT dosage (at the beginning of HRT).

Thus, Elliesen teaches that one should use the lowest possible estrogen dosage for the hormone replacement therapy product disclosed by Elliesen. Further Elliesen teaches the specific range of 5-15 mcg of EE, as noted by the Examiner. Elliesen provides no motivation to go any higher than 15 mcg of EE, for any women.

With respect to the double patenting rejection over pending application 09/754,732, applicant submits that nothing in that disclosure would render obvious the specific products now recited in claim 1, or the products of the new claims.

Applicant respectfully submits that the present claims, as amended, are allowable.

Respectfully submitted,

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